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### REMARKS/ARGUMENTS

The above listed claim amendments along with the following remarks are fully responsive to the Office Action issued on November 17, 2006. Claims 2-4, 6, 8-10, 12-19, and 21-22 are pending. Claims 2, 6, 8, 12, 18, 21, and 22 have been amended and claims 1, 5, and 7 have been cancelled. Claims 8 and 18 were amended to substantially incorporate the limitations from claims 1, 5, and 7 (into claim 8) and 12-15 (into claim 18), respectively, in order to better clarify the scope of Applicants' invention.

#### Claim Rejections – 35 USC § 112

Claims 1, 12, 21, and 22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action states that because the “preamble sets forth the column being triangular,” and because a triangle is three sided “it is unclear how a triangular column can have more than three sides” as indicated by the language of “at least three section chains.”

The Applicants have amended each claim to delete the “at least” language in order to further clarify and distinctly claim the present invention.

#### Claim Rejections – 35 USC § 103

##### Hamblin and Webb do not Make the Present Claims Obvious

Claims 1-7, 12-17, 19, and 21-22 were rejected as obvious under 35 U.S.C. § 103(a) as being unpatentable over *Hamblin* (U.S. Patent No. 4,027,440) in view of *Webb* (U.S. Patent No. 3,486,279). The rejection of claims 1, 5, and 7 has been rendered moot by the cancellation of these claims. In addition, the Applicant respectfully submits that *Hamblin* and *Webb*, either alone or in combination, do not disclose, teach, or suggest all of the features recited in independent claims 8, 12, 18, 21, or 22 as amended. Moreover, the claims as amended do not read upon anything disclosed by the combination of *Hamblin* and *Webb*. Applicants therefore respectfully request reconsideration and withdrawal of this rejection.

*Hamblin* illustrates an “extensible interlocking structure suitable for tower cranes” that includes “two sets of main members which engage one another in end-to-end relation when the structure is extended.” Abstract. The main members are engaged using tie members that are

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"pivoted to the main members, with the free ends of the tie members interlocking automatically with the main members during extension to provide diagonal bracing." *Id.* In one alternative embodiment, the main frames 30 are "hinged together by means of tongues 32 secured in forks 33 by pins" and a "pair of triangular arms 31 are pivotally mounted on each main frame 30 by means of pin joints, 36" wherein the "free end of each triangular arm 31 carries a half-ball 37" such that when the "two arms 31 come together (as seen in FIG. 14) a spherical end is formed at the apex of a pyramid." Col. 3, line 61 – col. 4, line 6. When the half-ball 37 at the free end of each triangular arm 31 comes together, the spherical end that is formed is guided between the jaws 38 formed in the linked struts 28 and the tower is formed. In *Hamblin*, the tower has one major side formed by the main frame 30 with two more sides jutting therefrom to be secured by half-ball 37 and jaws 38 of the linked struts 28.

In contrast, the claims of the present application recite a retractable column and an apparatus for raising a retractable column that includes a "chain connection member" (claim 8), a "hook connection member" (claims 12, 18, and 21) or a "hook" (claim 22) that helps to secure each of the section chains of the extensible tower and wherein the "chain connection member," "hook connection member," or "hook" is either "rigidly secured" or "fixedly connected" to each section chain. The retractable column as claimed by the Applicants includes section chains that are extended from a take up mechanism and into a corresponding position adjacent a second section chain such that the corresponding chain connection members, hook connection members, or hooks align and couple each section chain to the adjacent two section chains to form a rigid tower. In *Hamblin*, rather, the main frames 30 do not include a "chain connection member," a "hook connection member," or a "hook," that are rigidly secured" or "fixedly connected," but instead include "triangular arms 31" that are "pivotally mounted on each main frame 30."

In addition, the hooks 42, and 43, as shown in FIG. 16 of *Hamblin*, tie successive portions of the main frame 40 together. The hooks 42 and 43 do not link two separate sections chains to each other but rather the sections of one chain. Each main frame is then connected to a corresponding frame piece by tie frames 41. Tie frames 41 are pivotally connected to the main frame 40 with a roller that engages a stationary guide 49 to cause the tie frame to extend and engage a jaw of the opposite main frame member 40. In contrast, the claims of the present

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application recite a "chain connection member," a "hook connection member," or a "hook," that are "rigidly secured" or "fixedly connected." Moreover, the tie frames 41 of *Hamblin* each connect with the main frame 40 of another section chain rather than with another tie frame 41, whereas, in each of the present claims the "chain connection member," the "hook connection member," or the "hook" is engaged to a corresponding "chain connection member," the "hook connection member," or the "hook" on the corresponding section chain. See claims 8, 12, 18, 21, and 22.

*Webb* does not cure the deficiencies of *Hamblin*. *Webb* discloses a "column which can be rapidly deployed from a small collapsed length." Abstract. In *Webb*, the collapsed column 10 includes three longerons 16, 18, and 20 extending along a length. Each longeron is constructed of three rigid members that are connected "by means of pivotal joints for example, joint 64." Col. 3, lines 66-72. The longerons 16, 18, and 20 do not separate along their length to be formed and re-formed by means of joint. Rather, the collapsed column 10 is collapsed as a whole such that "all three faces of the section collapse" together without separating the pieces. *Webb*, therefore, does not teach, disclose, or suggest a "chain connection member," a "hook connection member," or a "hook," that are "rigidly secured" or "fixedly connected" to each section chain that "operably couple" (claims 12 and 18), "directly couple (claims 8 and 21), or that "form interlocking engagement" (claim 22) as claimed in the present claims.

*Hamblin* and *Webb*, therefore, alone or in combination, do not make all of the limitations of claims 8, 12, 18, 21, and 22 obvious since not all of the claimed limitations are taught or suggested. The present claims also do not read on any combination of *Hamblin* and *Webb*. Furthermore, since claims 2-4, 6, 9-10, and 13-19 incorporate all of the features of independent claims 8, 12, and 18 respectively, and still further refine the allowable invention claimed therein, claims 2-4, 6, 9-10, and 13-19 are also allowable for at least these same reasons.

*Hamblin* and *Webb* are not Properly Combinable

*Webb*, as previously stated, teaches a "column which can be rapidly deployed from a small collapsed length to an extended length." Abstract. *Webb* accomplishes this feat by creating a series of vertical rectangular faces that form the three sides of a triangle wherein each rectangle can be collapsed as shown in FIGS. 6 and 6A. As is described in the specification at column 4,

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line 68 through column 5, line 9, each vertical triangular section collapses by movement of the joints 200, 202, and 206 and the lengthening of the diagonal 212. In this manner the entire tower can be collapsed into a relatively small state without unbinding any of the components.

In contrast, *Hamblin* teaches and discloses an extensible structure whereby "certain parts automatically disengage on retraction, and automatically engage on extension, so that the parts may be conveniently stored when not in use." Col. 2, lines 21-24. *Webb* functions whereby each side of the tower must remain in connection when the tower is collapsed. *Hamblin* operates whereby each section of the tower must separate when the tower is collapsed.

*Webb* and *Hamblin* cannot therefore be combined to form an extensible tower.

### CONCLUSION

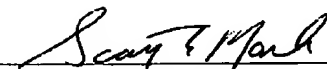
All pending claims are now in condition for allowance. A notice to that effect is respectfully requested.

The Applicant herewith petitions the Commissioner to extend the time for reply to the Office Action dated November 17, 2005 for two (2) month, from February 17, 2006 to April 17, 2006. A credit card payment form in the amount of \$225.00 for a two-month extension of time is submitted herewith. No additional fee is believed to be necessary for the entry of this paper. Should any additional fee be required for entry of this paper, the Commissioner is authorized to charge the Faegre & Benson Deposit Account No. 06-0029 and in such event, is requested to notify us of the same

Respectfully Submitted,

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